

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 13 JUNE 2003

**03/0316/FL: PROPOSED 2 STOREY SIDE EXTENSION INCORPORATING
GARAGE, BEDROOM AND EN SUITE BATHROOM
AT 54 WALLACETOWN AVENUE, KILMARNOCK
BY MR D O'ROURKE**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the erection of a two storey side extension to accommodate an additional bedroom with ensuite, study and garage. The proposed extension is 9.5 metres in length and 2.7 metres in width. It will be constructed from facing brick and concrete tiles to match the materials on the existing house.

2. RECOMMENDATION

2.1 It is recommended that the application should be approved subject to the condition shown on the attached sheet.

3. CONCLUSIONS

3.1 As is indicated at Section 5 of the report the application is in accordance with the Adopted East Ayrshire Local Plan therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be granted unless material considerations indicate otherwise.

3.2 The proposed development does not conflict with Policy ENV 7 of the EALP as it is in accordance with advice detailed in the East Ayrshire Council Design Guidance. It is considered that the design and scale of the extension is appropriate to the building and the external finish will match the property. The proposed extension will not have a detrimental impact on adjacent properties or the surrounding area.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control the application will not require to be referred to the Development Services Committee as there would be no significant breach of Council policy.

Alan Neish
Head of Planning and Building Control

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

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Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation because it is subject to an objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises a detached two storey house on Wallacetown Avenue. The site is bounded on the south east by Wallacetown Avenue beyond which are other residential properties. To the south west is No. 56 Wallacetown Avenue and to the north east No. 52 Wallacetown Avenue which is set back some 9 metres from the common boundary. This is constructed of 4 ft larch lap panels. The application site backs onto other residential properties.

2.2 **Proposed Development:** Full planning permission is sought for the erection of a two storey side extension to accommodate an additional bedroom with ensuite, study and garage. The proposed extension is 9.5 metres in length and 2.7 metres in width. It will be constructed from facing brick and concrete tiles to match the materials on the existing house.

3. CONSULTATIONS AND ISSUES RAISED

3.1 The Coal Authority have no adverse comments regarding the proposed development.

Noted.

3.2 Southcraigs and Dean Community Council have no objections to the proposed development.

Noted.

3.3 Transco have no adverse comments regarding the proposed development.

Noted.

3.4 East Ayrshire Roads and Transportation Division have no comments regarding the proposed development.

Noted.

3.5 Scottish Water have no adverse comments regarding the proposed development, though the applicant should ensure that the foul and surface drainage are kept separate.

Noted. A note can be added to any planning permission granted.

4. REPRESENTATIONS

There is one letter of objection to the proposed development and the grounds of objection are as follows:-

4.1 The proposed extension and garage would be too near No. 52 Wallacetown Avenue and would block out all direct sunlight.

Noted. The proposed extension will be the same depth as the existing house (9.5 metres) and the same height (8 metres). The proposed extension will utilise the space between the existing house and the common boundary, a width of 2.7 metres. The garden ground of the property to the north east is 9 metres in length. As the proposed extension will replicate the proportions of the existing house, any blocking of sunlight will be minimal and not to a degree meriting refusal of the application.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application the development plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted East Ayrshire Local Plan (2003).

5.2 Policy ENV 7 of the EALP is relevant and expects all developers to comply fully with the Council's Design Guidance and Policy documents relating to and advising on the particular type of development proposed.

5.3 The Design Guidance advises that extensions shall be sited and designed to minimise any overlooking of neighbouring properties and to ensure maximum provision of privacy and daylighting. The materials and colours used in the construction of the extension should match the existing dwelling.

It is considered that the proposed extension will not adversely affect the privacy or daylight enjoyed by adjoining properties due to its design, size and orientation. The materials used are compatible with those used elsewhere on the dwelling. Sufficient garden ground will be left after the extension has been erected.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the statutory consultation responses and objection received, all as detailed in Sections 3 and 4 of this report.

6.2 It is not considered that any aspects of the consultations or representation received indicate that the application should be refused.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of this application.

8. CONCLUSIONS

8.1 As is indicated at Section 5 of the report the application is in accordance with the Adopted East Ayrshire Local Plan therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be granted unless material considerations indicate otherwise.

8.2 The proposed development does not conflict with Policy ENV 7 of the EALP as it is in accordance with advice detailed in the East Ayrshire Council Design Guidance. It is considered that the design and scale of the extension is appropriate to the building and the external finish will match the property. The proposed extension will not have a detrimental impact on adjacent properties or the surrounding area.

9. RECOMMENDATION

9.1 It is recommended that the application should be approved subject to the condition shown on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control the application will not require to be referred to the Development Services Committee as there would be no significant breach of Council policy.

**Alan Neish
Head of Planning and Building Control**

03 June 2003
(FMF/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices/Certificates.
3. Consultation Replies.
4. Letter of Representation.
5. Approved Ayrshire Joint Structure Plan.
6. Adopted East Ayrshire Local Plan.

Anyone wishing to inspect the above papers please contact Ailsa Graham on 01563 576787.

Implementation Officer: Dave Morris

030316FL

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

03/0316/FL

Site of Proposal: 54 Wallacetown Avenue
KILMARNOCK
KA3 6DS

Nature of Proposal: Proposed 2 Storey side Extension
Incorporating Garage, Bedroom and En Suite
Bathroom

Name & Address of Applicant: Mr David O'Rourke
54 Wallacetown Avenue
KILMARNOCK
KA3 6DS

Name & Address of Agent:

DPOs Reference: FMF/MMM

The above FULL application should be granted subject to the following conditions.

1. Notwithstanding the plans hereby approved the external appearance of all materials to be used in the construction of the extension shall match the materials of the original building.

REASON To ensure that the extension matches the external appearance of the existing building and thereby maintain the visual quality of the area.

Note to Applicants:

1. Scottish Water advise that foul and surface water drainage should be kept separate.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**